

Appl. No.: 10/562,841
Amendment Dated: June 6, 2007
Reply to Official Action of April 9, 2007

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 7 and 8. Replacement sheet 4/6, which only includes Figure 7, replaces the original sheet including Figure 7. In Figure 7, an input into the ray tracing simulator/memory 146 from the radio channel emulator 154 is depicted in a manner consistent with the description provided by the specification. Replacement sheet 5/6, which includes Figures 7 and 8, replaces the original sheet including these same figures. In Figure 8, the reference numerals are depicted more clearly

Attachment: Replacement Sheets 4/6 and 5/6

REMARKS

The Official Action objects to Claims 5-8 and 15-20 for various informalities, but allowed Claims 1-4 and 9-14. Claims 5, 15, 17 and 20 have been amended in the manner suggested by the Official Action so as to resolve each of the specified informalities and to overcome the objections to Claims 5-8 and 15-20. As the Official Action indicates that Claims 5-8 and 15-20 would be allowable once amended to overcome the various informalities to which an objection was raised, it is respectfully submitted that Claims 5-8 and 15-20 are now also in condition for allowance.

The Official Action also objected to the drawings since page 15, lines 11 and 12 of the specification discussed the storage of values that are calculated by the radio channel emulator within storage element 146. A replacement sheet containing Figure 7 has now been submitted that depicts a signal path from the radio channel emulator to the storage element. Since the amendment to Figure 7 is described by the specification, no new matter is introduced by the submission of the replacement sheet. The Official Action also objected to the drawings since some of the reference numbers in Figure 8 were not legible. A replacement sheet containing Figure 8 has now also been submitted to more clearly set forth the reference numbers. In light of the replacement sheets which address each drawing objection, it is submitted that the objections to the drawings are overcome.

The Official Action also objects to the specification for failing to include a proper cross reference to prior application(s). The specification is hereby amended to include a cross-reference to the related applications in the first sentence. Although a petition to accept an unintentionally delayed benefit claim and the corresponding surcharge are not provided, it is submitted that the amendment to the specification to include the cross-reference to related applications should be entered and the objection to the specification should be accordingly overcome.

In this regard, as set forth by MPEP §201.11, the Official Action states, "[i]f the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification ... (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first

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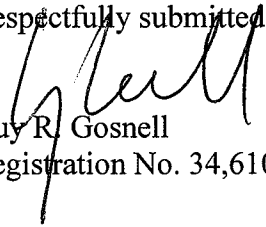
filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required.” In this instance, the application is a national phase entry of a PCT application which, in turn, claims priority from a provisional application. Notably, the application transmittal letter identifies the PCT application by application number and further identifies the earlier priority date established by the provisional application. Additionally, a copy of the PCT application was attached to the transmittal letter with the first page of the PCT application obviously including not only the international application number, but also other pertinent data including the application number and filing date of the provisional application. Still further, the Declaration and Power of Attorney for Patent Application identifies the PCT application by international application number and by filing date.

Not only were the PCT application and the provisional application identified in conjunction with the filing of the present application, but the Office recognized the priority claim as evidenced by the Filing Receipt which identifies the “Domestic Priority data as claimed by applicant” as follows: “This application is a 371 of PCT/US04/21262 06/30/2004 which claims benefit of 60/483,663 06/30/2003”. As such, since the reference to the related applications was previously submitted within the time period set forth in 37 CFR 1.78(a) and further since the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, it is submitted that the amendment to the specification that adds the cross-reference to the related applications should now be entered without any requirement for the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t). As such, the objection to the specification is therefore submitted to be overcome.

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It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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